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09/768,727	01/24/2001	Andreas Rippich	3134/WEICK	1224

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EXAMINER

HWANG, JOON H

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 06/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/768,727

Applicant(s)

RIPPICH, ANDREAS

Examiner

Joon H. Hwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 9, 12-21, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (U.S. Patent No. 6,374,275) in view of Bowman et al. (U.S. Patent No. 6,006,225).

With respect to claim 1, Wasilewski discloses performing an initialization step comprising entering a search term by choosing at least one item of a displayed set of contents or entries of a database in a network (figs. 8-11, lines 9-51 in col. 2, lines 15-55 in col. 3 and line 44 in col. 4 thru line 19 in col. 5). Wasilewski discloses entering at least one search command being defined by at least one operator chosen from a set of operators specifying an operation to be performed in relation to the chosen items and the database and at least one item chosen from the displayed set of contents or entries (figs. 8-11 and lines 6-59 in col. 7). Wasilewski discloses auditing at least one of a displayed set in response to the chosen operator (figs. 8-11 and lines 6-59 in col. 7). Wasilewski discloses displaying in a visible manner remaining contents or entries of the displayed set that can produce or indicate a result (figs. 8-11, lines 6-59 in col. 7, and lines 13-33 in col. 8). Wasilewski is silent on eliminating from a set all impossible items, which would produce an unwanted result at the end of a database search. However,

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Bowman discloses eliminating impossible items, which would produce an unwanted result at the end of a database search, and auditing and eliminating being performed by an automatic auditing processor (line 28 in col. 2 thru line 30 in col. 3, lines 32-35 in col. 4, lines 42-55 in col. 9, and lines 42-67 in col. 12) in order to prevent a NULL query result. Therefore, based on Wasilewski in view of Bowman, it would have been obvious to one having ordinary skill in the art at the time the invention was made to eliminate all impossible items in a query searching in order to prevent a NULL query result.

With respect to claim 2, Wasilewski discloses displaying contents of the database in a list (figs. 8-11).

With respect to claim 3, Wasilewski discloses displaying contents in a hierarchical order (figs. 8-11).

With respect to claim 4, Bowman discloses unwanted result corresponding to a nullity (line 28 in col. 2 thru line 30 in col. 3, lines 32-35 in col. 4, lines 42-55 in col. 9, and lines 42-67 in col. 12). The limitations of claim 4 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 5, Bowman discloses wanted result corresponding to a nullity (lines 23-25 in col. 3). The limitations of claim 5 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 6, Wasilewski discloses the displayed set of contents of the database is a subset of all contents of the databases (figs. 8-11).

With respect to claim 7, Bowman discloses excluding potentially weak correlation terms (lines 40-55 in col. 9). The limitations of claim 7 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 9, Wasilewski discloses entering search commands by a conventional computer mouse-clicking mechanism (lines 15-55 in col. 3 and fig. 7).

With respect to claim 12, Wasilewski discloses representing contents of the database by text (figs. 8-11).

With respect to claim 13, Wasilewski discloses representing contents of the database by image (lines 44-50 in col. 5).

With respect to claim 14, Wasilewski discloses URLs and a television for browsing a network and a database, which teach video or audio segments in database could be retrieved by URLs and the television (lines 32-43 in col. 1).

With respect to claim 15, Wasilewski discloses merging a displayed list of database entries with operators to form a hybrid search term (figs. 8-11 and lines 6-43 in col. 7).

With respect to claim 16, Wasilewski discloses a logical operator comprising a plurality of combined single operators (figs. 8-11 and lines 6-43 in col. 7).

With respect to claim 17, Bowman further discloses displaying a search result list (fig. 9). Therefore, the limitations of claim 18 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 18, Bowman further discloses displaying a search result list (fig. 9). Therefore, the limitations of claim 18 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

The limitations of claim 19 are rejected in the analysis of claim 18 above, and the claim is rejected on that basis.

With respect to claim 20, Wasilewski discloses Boolean operations (figs. 8-11 and lines 6-43 in col. 7).

With respect to claim 21, Wasilewski discloses a logical operator comprising a plurality of combined single operators (figs. 8-11 and lines 6-43 in col. 7).

The limitations of claim 23-25 are rejected in the analysis of claim 1 above, and these claims are rejected on that basis.

3. Claim 8, 11, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (U.S. Patent No. 6,374,275) in view of Bowman et al. (U.S. Patent No. 6,006,225), and further in view of Wilson et al. (U.S. Patent No. 5,963,938).

With respect to claim 8, Wasilewski and Bowman disclose the claimed subject matter as discussed above except eliminating any operation term. However, Wilson discloses operators and operands (fig. 3, fig. 9, fig. 12, and lines 15-20 in col. 2). Wilson discloses limiting possible (logical) operators for a particular argument (lines 8-15 in col. 10, and lines 2-6 in col. 7). Therefore, based on Wasilewski in view of Bowman, and further in view of Wilson, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to eliminate all impossible items and operators in a query searching in order to prevent a NULL query result.

The limitations of claim 11 are rejected in the analysis of claim 8 above, and the claim is rejected on that basis.

With respect to claim 22, Wasilewski discloses performing an initialization step comprising entering a search term by choosing at least one item of a displayed set of contents or entries of a database in a network (figs. 8-11, lines 9-51 in col. 2, lines 15-55 in col. 3 and line 44 in col. 4 thru line 19 in col. 5). Wasilewski discloses entering at least one search command being defined by at least one operator chosen from a set of operators specifying an operation to be performed in relation to the chosen items and the database and at least one item chosen from the displayed set of contents or entries (figs. 8-11 and lines 6-59 in col. 7). Wasilewski discloses auditing at least one of a displayed set in response to the chosen operator (figs. 8-11 and lines 6-59 in col. 7). Wasilewski discloses displaying in a visible manner remaining contents or entries of the displayed set that can produce or indicate a result (figs. 8-11, lines 6-59 in col. 7, and lines 13-33 in col. 8). Wasilewski is silent on eliminating from a set all impossible items, which would produce an unwanted result at the end of a database search. However, Bowman discloses eliminating impossible items, which would produce an unwanted result at the end of a database search, and auditing and eliminating being performed by an automatic auditing processor (line 28 in col. 2 thru line 30 in col. 3, lines 32-35 in col. 4, lines 42-55 in col. 9, and lines 42-67 in col. 12) in order to prevent a NULL query result. Furthermore, Wilson discloses operators and operands (fig. 3, fig. 9, fig. 12, and

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lines 15-20 in col. 2). Wilson discloses limiting possible (logical) operators for a particular argument (lines 8-15 in col. 10, and lines 2-6 in col. 7). Therefore, based on Wasilewski in view of Bowman, and further in view of Wilson, it would have been obvious to one having ordinary skill in the art at the time the invention was made to eliminate all impossible items and operators in a query searching in order to prevent a NULL query result.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (U.S. Patent No. 6,374,275) in view of Bowman et al. (U.S. Patent No. 6,006,225), and further in view of Carey et al. (U.S. Patent No. 5,905,982).

With respect to claim 10, Wasilewski and Bowman disclose the claimed subject matter as discussed above except a SQL query. However, Carey discloses a SQL query for searching a database including relational and object oriented (abstract, lines 33-62 in col. 1, line 65 in col. 5 thru line 35 in col. 6). Therefore, based on Wasilewski in view of Bowman, and further in view of Carey, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a SQL query for searching a database, such as a relational and object oriented database.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reed et al. (WO 00/54185) discloses a query building.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 703-305-6469. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Joon Hwang
June 1, 2003


SHAHID AL ALAM
PATENT EXAMINER